

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1PET (1738) FAX (602) 364-1039

VETBOARD.AZ.GOV

COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: Nov 9, 2020 Case Number: 21-64

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: ?

Premise Name: Altered Tails

Premise Address: 950 West Hatcher Road

City: Phx State: AZ Zip Code: 85021

Telephone: 602-347-3417 + 602-216-2370
602-943-7729

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: Naomi Estrada

Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Home Telephone: [REDACTED] Cell Telephone: [REDACTED]

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

NOV 09 2020
BY: [Signature]

C. PATIENT INFORMATION (1):

Name: Apollo
Breed/Species: Pitbul
Age: 23 weeks Sex: Male Color: Black

PATIENT INFORMATION (2):

Name: _____
Breed/Species: _____
Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

Lisa Casanova - phx Clinic Manager from Altered tails
602-374-3417 ext. 105

Reese Hartnett

Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: Naomi Estrada

Date: 11/16/2020

F. ALLEGATIONS and/or CONCERNS:

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

I would really like to see justice for Apollo. He is a puppy and will now have issues his whole life. And I wish the veterinarian would have took full responsibility for what had happened especially because Apollo was in their care when the incident occurred.

Mid Western University Animal + Health Institute. Are the veterinarians that we took Apollo to after his leg was broken and they put a cast on him. They did tell us surgery was the preferred option, but we did not have thousands of dollars on hand to pay for the surgery. I would like to see restitution for out of pockets costs
n - Apollo Thank you, Naomi?

Typewritten narrative in events associated with "Apollo" Estrada
01/25/2021

My name is Kaitlyn Vorherr, and I am an associate veterinarian at Altered Tails, Phoenix location. The following relates to my association with the inquiry regarding Apollo Estrada.

Apollo was dropped off for a castration surgery September 25, 2020. The receptionists check-in patients and technicians bring them back to the holding area. During dog check-in, each patient is brought to the treatment room for a doctor to perform a pre-surgical exam to ensure each patient is still a good candidate for surgery that day. Apollo was brought to the treatment room for his presurgical exam. His initial weight, temperature, heart rate, respiration and physical exam were within normal limits and he was declared a good candidate for surgery that day and was given his premedication.

Canine surgeries are done in the morning, prior to cat surgeries. Each patient is brought back into the treatment room when the prep team (technicians) are ready to induce and prep them for surgery. When technician Ashley Pendell brought Apollo into the treatment room, she alerted the veterinarians (myself and lead veterinarian Dr. Thomas Schaefer) that the patient was limping and she was concerned. Both veterinarians were in separate surgical procedures at the time. As I finished my surgery prior to Dr. Schaefer, I went into the treatment/prep room to assess the patient.

Even with his premedication Apollo was still energetic and difficult to assess but swelling and discomfort was noted in the left stifle. Apollo was sedated for a more thorough exam. Based on these physical exam findings there were concerns for injury to the stifle, but an exact diagnosis was difficult to discern through the swelling. The patient's short anesthetic time was uneventful and he recovered well. He was kept in an airline carrier next to my desk for the remainder of the day to continue monitoring. After discussion of possible diagnosis and next step options with Dr. Schaefer, I received approval from office manager Lisa Casanova and executive director Nellie Goetz, to provide patient/owner 5 days of anti-inflammatories free of charge. We also agreed that if owner would like to pursue radiographs at a full-service veterinarian over the weekend and prior to patient's recheck, that Altered Tails would assist with the cost of the visit/diagnostics.

When the owners arrived to pick Apollo up, they were placed in an exam room. Myself and Lisa Casanova (office manager) went to discuss the incident and recommendations to the owners. The owners elected to proceed with the anti-inflammatories and see how patient was doing at recheck prior to pursuing radiographs. The owners were given Lisa Casanova's contact information.

At the recheck on 09/29/2020, Apollo had improved slightly but physical exam findings were still concerning and I felt more instability was palpable in the left stifle. Based on this, I highly recommended sedated radiographs for Apollo. Due to the pandemic and challenges getting appointments at full-service clinics, Lisa Casanova contacted Midwestern University College of

Veterinary Medicine's Companion Animal Clinic. I informed the owner that Lisa would be in contact with them asap to inform them of their appointment time and any additional information once we had more communication with MWU. Owners were informed that Altered Tails would be covering the cost of the initial visit and diagnostics; once a diagnosis was received further coverage regarding treatment etc., would have to be discussed with the office manager Lisa Casanova. The owners were able to take Apollo to be evaluated at Midwestern University the same day. The recheck visit at Altered Tails was the last direct contact I had with the owner and patient.

On 09/30/2020 I received a copy of the records and radiographs from MWU with Apollo's diagnosis. Through this documentation I was informed that the owners elected to splint the limb and to my knowledge Altered Tails had covered the cost of visit, diagnostics, and treatment that day.

I was made aware, approximately a week later on 10/06/2020, that the owner had called and had a conversation with Lisa Casanova that she changed her mind about wanting the surgery done and wanted Altered Tails to pay for it. I was informed that since Altered Tails and the owner had already reached a financial agreement based on splinting, etc., that the surgery would not be covered. The owner mentioned pursuing a board complaint, but to my knowledge the decision remained the same and the conversation was left at that. Since then, I have not heard any other information regarding the patient or any questions or concerns from the owner, until receiving the notification from the Arizona State Veterinary Medical Examining Board.

A handwritten signature in black ink, appearing to be 'Kaitlyn Vorherr', followed by the letters 'DVM' in a similar handwritten style.

Kaitlyn Vorherr, DVM

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

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INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: AM Investigative Committee: Robert Kritsberg, DVM - Chair
Christina Tran, DVM - **Absent**
Carolyn Ratajack
Jarrod Butler, DVM
Steven Seiler

STAFF PRESENT: Tracy A. Riendeau, CVT - Investigations
Beth Campbell, Assistant Attorney General

RE: Case: 21-64
Complainant(s): Naomi Estrada
Respondent(s): Kaitlyn Vorherr, DVM (License: 7294)

SUMMARY:

Complaint Received at Board Office: 11/9/20
Committee Discussion: 6/8/21
Board IIR: 7/21/21

APPLICABLE STATUTES AND RULES:

Laws as Amended August 2018
(Lime Green); Rules as Revised September
2013 (Yellow).

On September 25, 2020, "Apollo," a 6-month-old male Pitbull was presented to Respondent for a neuter procedure. The dog was examined, pre-medicated for surgery and placed in a kennel.

When the dog was brought back to the treatment area to be anesthetized, staff noticed the dog was limping therefore Respondent re-examined the dog. Due to swelling and discomfort of the left stifle, Respondent postponed the neuter procedure.

Complainant arrived to pick up the dog; Respondent explained the dog's injury, made recommendations, and the dog was discharged with an anti-inflammatory.

On September 29, 2020, Respondent rechecked the dog. The left stifle was unstable and Respondent recommended sedated radiographs. The premises offered to pay for initial diagnostics, which were performed by Midwestern University's Companion Animal Clinic. Radiographs revealed the dog had a partial tibial tuberosity avulsion fracture; after discussion of options, Complainant chose to have the dog's leg casted instead of having surgery performed.

Complainant was noticed and appeared telephonically.
Respondent was noticed and appeared with counsel David Stoll.

The Committee reviewed medical records, testimony, and other documentation as described below:

- Complainant(s) narrative: *Naomi Estrada*
- Respondent(s) narrative/medical record: *Kaitlyn Vorherr, DVM*
- Consulting veterinarian(s) narrative/medical record: *Companion Animal Clinic*

PROPOSED 'FINDINGS of FACT':

1. On September 25, 2020, the dog was presented to Respondent for a neuter procedure. Respondent examined the dog and found a weight = 48.2 pounds, a temperature = 102.8 degrees, a heart rate = 150bpm, and a respiration rate = pant; all other systems were marked normal. The dog was administered buprenorphine and acepromazine SQ. According to staff member, Ms. Schumaker-Veitch, the dog walked on his own to the kennel and did not appear injured in any way.

2. Staff member, Ms. Pendell, stated that she witnessed the dog react to other dogs, in a non-aggressive manner, when they neared his kennel. The dog would jump around in the kennel. Later, Ms. Pendell went to retrieve the dog from the kennel to prep him for surgery. The dog was hiding in the back of the kennel and would not come forward. Ms. Pendell placed a lead on the dog and coaxed him out. Once out of the kennel, Ms. Pendell noticed the dog was limping and requested Respondent to examine the dog.

3. Respondent re-examined the dog focusing on the dog's leg. Due to the dog's excitability, he was difficult to assess therefore the dog was sedated with ketamine and midazolam IV, intubated and maintained on isoflurane. Respondent palpated the dog's stifle joint – she noted soft tissue swelling surrounding the stifle, mild effusion noted in the left stifle joint, no repeatable instability was appreciated with cranial drawer exam – due to the dog's injury, Respondent elected to postpone the surgery.

4. Respondent discussed the findings with her supervising veterinarian, and obtained permission from the office manager and executive director to provide Complainant with 5 days of anti-inflammatories at no charge. Additionally, if Complainant chose to pursue radiographs at a full-service veterinarian prior to the dog's recheck, the premises would assist with the cost of the visit.

5. When the Complainant arrived to pick up the dog, Respondent and the office manager discussed the incident and recommendations. Complainant elected to proceed with the anti-inflammatories and recheck with Respondent prior to pursuing radiographs. The dog was discharged with oral meloxicam 1.5mg/mL – give one 1.4mL syringe orally every 24hrs for 3 days.

6. On September 29, 2020, the dog was presented to Respondent for a recheck. The dog had slightly improved but Respondent felt more instability in the left stifle. The dog was still toe touching lame intermittently but would occasionally place more weight on the limb. Respondent suspected partial/complete cranial cruciate ligament rupture with possible meniscal involvement.

7. Respondent discussed her findings with the pet owner and highly recommended sedated radiographs of the stifle. Due to Covid and the challenge of getting an appointment at full service veterinary practices, hospital manager, Ms. Casanova, contacted Midwestern University's Companion Animal Clinic (CAC) to assist Complainant in getting in for radiographs. An appointment was able to be made that day and Respondent's premises would pay for the cost of the visit.

8. That day, the dog was presented to Dr. Chung at CAC, radiographs were performed and Dr. Gonzalez also looked at the dog and reviewed the radiographs. Dr. Gonzalez suspected the dog had a tibial avulsion fracture and the recommended treatment was surgery – pin and tension band – or less ideally a cast for 4 – 6 weeks. Complainant was advised of the findings and recommendations as well as the costs associated with the recommendations. Complainant chose to have the dog's leg casted. The agreement was that Respondent's premises would cover the fees for that visit and Complainant would be responsible for subsequent visits and cast changes.

9. A cast was applied to the dog's leg and discharged that afternoon with meloxicam and trazadone.

10. Radiologist confirmed the dog had an avulsion fracture of the left tibial tuberosity. Surgical stabilization was recommended.

11. On October 6, 2020, hospital manager, Ms. Casanova, spoke with Complainant. Complainant reported that the dog was not healing with the splint and wanted the premises to pay for the surgery. Ms. Casanova reminded Complainant that they agreed to be responsible for any further appointments. Complainant asked if they would change their mind if a Board complaint was made – the response was no.

12. The dog was presented to CAC each week for the next four weeks for evaluation and bandage changes.

13. On November 2, 2020, CAC student contacted Complainant to check on the dog. Complainant reported the dog was doing well.

COMMITTEE DISCUSSION:

The Committee discussed that there was no direct cause of the injury and Respondent did not have any authority or influence on what services and fees would be covered as a result of the dog's injury.

Some Committee members believed that since the dog was under their care, the premises had a responsibility to keep the dog safe, and should have paid for the services that were required due to the injury that occurred.

The Committee asked the Board to consider opening an investigation regarding the premises license holder, Thomas Schaefer, DVM.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that no violations of the Veterinary Practice Act occurred.

COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board:

Dismiss this issue with no violation.

Vote: The motion was approved with a vote of 4 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.

TR

Tracy A. Riendeau, CVT
Investigative Division